

## Message Text

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EA:AWHUMMEL,JR.

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TO USDEL SECRETARY IMMEDIATE

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TO THE SECRETARY FROM HABIB

E.O. 11652: XGDS-3

TAGS:PFOR, US, VN

SUBJECT: ACTION MEMORANDUM: U.S. VIETNAMESE RELATIONS:

RESPONSE TO SRV AUGUST 28 NOTE

(S/S 7619728)

1. YOU HAD AGREED THAT WE WOULD DEFER OUR RESPONSE TO THE VIETNAMESE AUG. 28 NOTE ON HOLDING AN INITIAL MEETING IN PARIS. THEIR NOTE MAKES CLEAR THAT MOST OF THE BASIC ARRANGEMENTS FOR TALKS HAVE ALREADY BEEN AGREED ON. THEY HAVE ACCEPTED TALKS AT THE DCM LEVEL, AND WE SEE NO PROBLEM WITH HAVING MEETINGS TAKE PLACE OUTSIDE THE CHANCERIES. DETAILS SUCH AS LANGUAGE, PRESS ARRANGEMENTS, AGENDA, AND OTHER SPECIFIC PROCEDURES COULD EASILY BE ARRANGED BETWEEN OUR RESPECTIVE LIAISON OFFICERS IN PARIS.

2. AT THIS POINT WE NEED YOUR GUIDANCE BOTH AS TO THE TIM-  
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ING AND SUBSTANCE OF OUR RESPONSE. I BELIEVE THAT 'E SHOULD

NOW PROCEED WITH A FAIRLY EARLY REPLY TO THE VIETNAMESE NOTE. THEIR PUBLIC RELEASE OF OUR EXCHANGES WITH THEM IN PARIS HAS NOT CAUSED US MAJOR DIFFICULTIES BUT I DO BELIEVE THAT A LONG DELAY IN RESPONDING AND IN MOVING TOWARD A MEETING WOULD NOT BE DESIRABLE AND IN FACT RISKS CHARGES OF STALLING.

3. CONSEQUENTLY, I WOULD RECOMMEND THAT WE MAKE AN EARLY REPLY TO THE VIETNAMESE IN WHICH WE WOULD TIE DOWN THE REMAINING PROCEDURAL ARRANGEMENTS AND PROPOSE A DATE FOR THE INITIAL MEETING. OUR INITIATIVE IN SETTING A DATE WOULD SHOW THAT WE REMAIN READY, AS WE HAVE PUBLICLY STATED, TO ENGAGE IN EXCHANGES WITH THE VIETNAMESE ON WHETHER THERE IS A BASIS FOR NORMALIZATION OF OUR RELATIONS. THE DATE WE PROPOSE WOULD ALSO HOPEFULLY PRECLUDE THE VIETNAMESE FROM TRYING TO USE THE PARIS EXCHANGES TO THEIR ADVANTAGE IN THE POLITICAL CAMPAIGN HERE.

4. WITH THIS CONSIDERATION IN MIND, MY PERSONAL PREFERENCE WOULD BE FOR A REPLY TO THE VIETNAMESE AT THE BEGINNING OF OCTOBER, PROPOSING A MEETING FOR THE THIRD WEEK IN OCT. (OCT. 21-22). THIS WOULD ALLOW US TO HAVE AT LEAST ONE MEETING BEFORE THE ELECTION AND BEFORE RENEWED SECURITY COUNCIL CONSIDERATION OF THE VIETNAMESE APPLICATION. AT THAT MEETING WE WOULD MAKE CLEAR OUR NEED FOR SATISFACTION ON THE MIA ISSUE. AT THIS POINT, I WOULD NOT ENVISAGE US AGREEING TO A SECOND MEETING BEFORE MID-NOVEMBER.

5. ALTERNATIVELY, IF YOU WISH WE COULD MAKE AN IMMEDIATE RESPONSE PROPOSING A MID-OCTOBER DATE (E.G. OCT. 15). WE COULD ALSO SEND A TEMPORIZING REPLY SIMPLY ACKNOWLEDGING THE VIETNAMESE NOTE AND AUTHORIZING OUR EMBASSY PARIS LIAISON OFFICER TO TIE DOWN THE REMAINING PROCEDURAL DETAILS, BUT NOT PROPOSING AT THIS POINT A DATE FOR AN INITIAL MEETING. FRANKLY, I WOULD NOT LIKE TO LEAVE THE INITIATIVE TO THE VIETNAMESE IN PROPOSING A DATE, NOR DO I BELIEVE THAT WE HAVE ANYTHING TO GAIN BY STRINGING OUT THE PROCEDURAL DISCUSSIONS.

6. THERE IS ATTACHED A SUGGESTED DRAFT RESPONSE TO THE  
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VIETNAMESE ALONG THE LINES I HAVE OUTLINED IN PARA 4 ABOVE.

RECOMMENDATION:

A. THAT YOU APPROVE DISPATCH OF A REPLY TO THE AUG. 28 VIETNAMESE NOTE AT THE BEGINNING OF OCTOBER ALONG THE LINES OF THE ATTACHED DRAFT MESSAGE. THE REPLY WOULD PROPOSE A MEETING ON OCT. 21 OR 22 IN PARIS UNDER THE PROCEDURAL

ARRANGEMENTS WORKED OUT BY THE LIAISON OFFICERS. THE MESSAGE WOULD AUTHORIZE EMBASSY PARIS TO COMPLETE AD REFERENDUM THE REMAINING DETAILED ARRANGEMENTS.

APPROVE:

DISAPPROVE:

B. ALTERNATIVELY, THAT WE DISPATCH THE ATTACHED MESSAGE IMMEDIATELY, PROPOSING AN OCT. 15 DATE.

APPROVE:

DISAPPROVE:

C. ALTERNATIVELY, WE REPLY TO THE VIETNAMESE WITHOUT PROPOSING A DATE WHILE AUTHORIZING OUR LIAISON OFFICER TO MEET TO DISCUSS REMAINING PROCEDURAL DETAILS.

APPROVE:

DISAPPROVE:

I SUGGEST THAT WE ALSO USE THE OCCASION OF THE DELIVERY OF OUR REPLY TO INSTRUCT OUR LIAISON OFFICER TO REQUEST AGAIN RETURN OF THE REMAINS OF THE 12 MEN NAMED AS KIA BY HANOI SEPT. 6 AND TO EXPRESS OUR DISPLEASURE OVER SRV PUBLICATION OF THE EXCHANGE OF CORRESPONDENCE IN VIOLATION OF OUR PREVIOUS MUTUAL UNDERSTANDING.

APPROVE:

DISAPPROVE:

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SUGGESTED DRAFT REPLY TO SRV NOTE OF AUGUST 28

-- -- SRV NOTE OF AUGUST 28

THE EMBASSY OF THE UNITED STATES OF AMERICA IN PARIS PRESENTS ITS COMPLIMENTS TO THE EMBASSY OF THE SOCIALIST REPUBLIC OF VIETNAM AND HAS THE HONOR TO ACKNOWLEDGE RECEIPT OF THE NOTE OF THE VIETNAMESE EMBASSY DATED AUG. 28, 1976, REGARDING DISCUSSIONS BETWEEN REPRESENTATIVES OF OUR RESPECTIVE EMBASSIES.

THE GOVERNMENT OF THE UNITED STATES OF AMERICA AGREES WITH THE ARRANGEMENTS SUGGESTED IN THE ABOVE-MENTIONED NOTE TO ENABLE REPRESENTATIVES OF OUR TWO GOVERNMENTS TO MEET FOR SUCH DISCUSSIONS. THE UNITED STATES PROPOSES THAT SUCH A MEETING TAKE PLACE ON THURSDAY, OCTOBER 21, 1976, SUBJECT

TO COMPLETION OF PRELIMINARY ARRANGEMENTS. IF THIS DATE IS AGREEABLE TO THE SOCIALIST REPUBLIC OF VIETNAM, THE UNITED STATES SUGGESTS THAT LIAISON OFFICERS OF OUR RESPECTIVE EMBASSIES IN PARIS MEET TO DISCUSS ARRANGEMENTS FOR THE MEETING, SUCH AS A SPECIFIC SITE, LANGUAGE TO BE USED, ORDER OF PRESENTATION, AND OTHER PROCEDURES.

THE GOVERNMENT OF THE UNITED STATES OF AMERICA ALSO CONFIRMS ITS VIEW THAT THE BASIS FOR DISCUSSIONS BETWEEN THE REPRESENTATIVES OF OUR TWO COUNTRIES IS THAT EACH SIDE WILL BE ABLE TO RAISE SUCH ISSUES AS IT WISHES. THESE DISCUSSIONS WILL DETERMINE WHETHER OR NOT THERE IS A SUFFICIENT BASIS FOR NORMALIZATION OF RELATIONS BETWEEN OUR TWO COUNTRIES.

FOR ITS PART, THE GOVERNMENT OF THE UNITED STATES OF AMERICA HAS MADE CLEAR TO THE SOCIALIST REPUBLIC OF VIETNAM ON MANY OCCASIONS, MOST RECENTLY IN NEW YORK IN DISCUSSIONS WITH THE PERMANENT OBSERVER OF THE SOCIALIST REPUBLIC OF VIETNAM TO THE UNITED NATIONS, ITS PRIMARY CONCERN FOR A FULL ACCOUNTING FOR AMERICAN SERVICEMEN MISSING DURING THE RECENT CONFLICT IN SOUTHEAST ASIA AND THE RETURN OF ALL RECOVERABLE REMAINS OF THOSE KILLED. RESOLUTION OF THIS IMPORTANT ISSUE IS CLEARLY REQUIRED FOR ANY FURTHER PROGRESS TOWARD NORMALIZATION OF RELATIONS BETWEEN OUR TWO COUNTRIES.

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CLEARED BY IO:SW WIS; EA:AWHUMMEL; S-HDCOLLUMS

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